

THE COURT OF COMMON PLEAS, CIVIL DIVISION
CUYAHOGA COUNTY, OHIO

Clerk of Courts | The Justice Center | 1200 Ontario Street 1st Floor, Cleveland, Ohio 44113

AMANDA MOWRER

Plaintiff

CASE NO. CV24107075

JUDGE NANCY MARGARET RUSSO

V.

NAUTICA ENTERTAINMENT, LLC

Defendant

SUMMONS

SUMC CM

Notice ID: 55319530



From: AMANDA MOWRER
11720 VALLEY VIEW ROAD
SAGAMORE HILLS OH 44067

P1

Atty.: DREW LEGANDO
1360 W. 9TH STREET, SUITE 200
CLEVELAND, OH 44113

To: NAUTICA ENTERTAINMENT, LLC
C/O CT CORPORATION SYSTEMS
4400 EASTON COMMONS WAY
SUITE 125
COLUMBUS OH 43219

D1

NOTICE TO THE DEFENDANT:

The Plaintiff has filed a lawsuit against you in this Court. You are named as a defendant. A copy of the **Complaint** is attached.

If you wish to respond to the Complaint, you must deliver a written **Answer** to the Plaintiff's attorney (or the Plaintiff if not represented by an attorney) at the above address *within 28 days* after receiving this Summons (not counting the day you received it). A letter or a phone call will not protect you. Civil Rule 5 explains the ways that you may deliver the **Answer** (<http://www.supremecourt.ohio.gov/LegalResources/Rules/civil/CivilProcedure.pdf>)

You must also file a copy of your **Answer** with this Court within 3 days *after* you serve it on the Plaintiff. You can file your **Answer** with the Clerk of Courts by one of the following methods: 1) In-person or by mail at the above address or 2) electronically through the online e-Filing system. For more information on using the e-Filing system, visit <http://coc.cuyahogacounty.us/en-US/efiling.aspx>.

If you fail to serve *and* file your **Answer**, you will lose valuable rights. The Court will decide the case in favor of the Plaintiff and grant the relief requested in the **Complaint** by entering a default judgment against you.

You may wish to hire an attorney to represent you. Because this is a civil lawsuit, the Court cannot appoint an attorney for you. If you need help finding a lawyer, contact a local bar association and request assistance.



Nailah K. Byrd
Clerk of Court of Common Pleas
216-443-7950

Date Sent: 11/13/2024

By _____

Deputy

CMSN130

EXHIBIT

A



Cuyahoga County Clerk of Courts Nailah K. Byrd

Multilingual Notice:

You have been named as a defendant in this Court. You must file an answer within 28 days; if you fail to answer, the Court may enter judgment against you for the relief stated in the Complaint. Seek assistance from both an interpreter and an attorney. Your inability to understand, write, or speak English will not be a defense to possible judgment against you.

1. Spanish (US)

***Aviso multilingüe:

Este Tribunal lo ha declarado como acusado. Debe presentar una respuesta en un plazo de 28 días. Si no contesta en dicho plazo, el Tribunal podrá dictar sentencia en su contra por el amparo que se detalla en la demanda. Solicite la ayuda de un intérprete y de un abogado. Su incapacidad para comprender, escribir o hablar inglés no se considerará como defensa ante una posible sentencia en su contra.

2. Somali

***Ogeysiis luqadda badan ah:

Waxaa lagu magacaabay sida eedeysane gudaha Maxkamadan. Waa in aad ku soo gudbisaa jawaab 28 maalmood gudahood; haddii aad ku guuldareysto jawaabta, Maxkamada laga yaabo in ay gasho xukun adiga kaa soo horjeedo ee ka nasashada lagu sheegay Cabashada. Raadi caawinta ka timid labadaba turjubaanka iyo qareenka. Karti la'aantaada aad ku fahmo, ku qoro, ama ku hadasho Af Ingiriisiga ma noqon doonto difaacida xukunkaaga suuralka ah ee adiga kugu lidka ah.

3. Russian

***Уведомление на разных языках:

Вы были названы в качестве ответчика в данном суде. Вы должны предоставить ответ в течение 28 дней; если Ваш ответ не будет получен, суд может вынести решение против Вас и удовлетворить содержащиеся в жалобе требования. Воспользуйтесь услугами переводчика и адвоката. Тот факт, что Вы не понимаете английскую речь и не можете читать и писать по-английски, не является препятствием для возможного вынесения судебного решения против Вас.

4. Arabic

***ملاحظة متعددة اللغات:

لقد تم اعتبارك مدعى عليه في هذه المحكمة. يجب أن تقدم ردا خلال 28 يوما؛ وإذا لم تقم بالرد، فقد تصدر المحكمة حكما ضحك بالتعويض المنصوص عليه في هذه الشكوى القضائية. اطلب المساعدة من مترجم فوري ومحام. فلن تعد عدم قدرتك على فهم اللغة الإنجليزية أو كتابتها أو تحديثها دفاعا لك أمام الحكم المحتمل ضحك.

5. Chinese (Simplified)

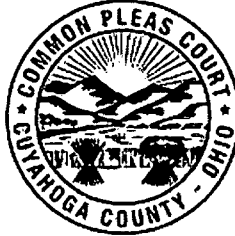
***多語版本通知：

您在本法庭已被列为被告。您必须于 28

日内递交答辩状；如果没有递交答辩状，法庭会针对诉状中声明的补救措施对您作出不利判决。请向口译人员和律师寻求帮助。您无法理解、书写或说英语的情况不能作为对您可能作出不利判决的辩护理由。

Justice Center, 1st Floor • 1200 Ontario Street • Cleveland, Ohio 44113-1664 • 216.443.7950

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NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113

Court of Common Pleas

New Case Electronically Filed: COMPLAINT
November 12, 2024 16:42

By: DREW LEGANDO 0084209

Confirmation Nbr. 3326025

AMANDA MOWRER

CV 24 107075

vs.

NAUTICA ENTERTAINMENT, LLC

Judge: NANCY MARGARET RUSSO

Pages Filed: 3

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

AMANDA MOWRER
11720 Valley View Road
Sagamore Hills, Ohio 44067

Plaintiff

v.

NAUTICA ENTERTAINMENT, LLC
c/o CT Corporation Systems
4400 Easton Commons Way, Suite 125
Columbus, Ohio 43219

Defendant

Case No.

**COMPLAINT
WITH JURY DEMAND**

Plaintiff Amanda Mowrer brings this complaint against Defendant Nautica Entertainment, LLC, alleging as follows:

FACTUAL ALLEGATIONS

1. On December 3, 2022, Plaintiff Amanda Mowrer, dropped off by her husband and accompanied by her daughter, was attending a Christmas party scheduled to be held on the Nautica Queen, a dinner cruise ship docked on the West Bank of the Flats in Cleveland, Ohio.
2. The Nautica Queen, its dock, and its premises are owned and/or operated by Defendant Nautica Entertainment, LLC, or one of more of its subsidiaries, affiliates, or agents.
3. Unbeknownst to the Mowrer party, due either to mechanical issues on the ship or inclement weather, the party organizers had moved the party off the ship and to the City View Room nearby. No signage at the ship advised of this change.
4. The entry to the Nautica Queen was open. To a reasonable person approaching the ship for a party, the opening—the cargo door entrance—was the intended boarding route for party-goers.

5. Moreover, the Nautica Queen was lit, decorated with garlands, a man dressed like a chef was aboard, and crew were carrying bottles of liquor in the parking lot near the boat. Two couples Mrs. Mowrer knew from the boat club were also walking toward the boat. Nothing blocked access to the boat or warned against entering it.

6. In fact, a Nautica employee, Jay Wilson, was attending to duties aboard the ship, which had lights on. He left the cargo door open. As Wilson was starting to go down to the galley, he saw the Mowrer party approaching the ship. He reportedly said the party had been relocated—but the Mowrers did not hear him—something he acknowledged in a post-incident interview.

7. Although not apparent to Mrs. Mowrer as she approached the access to the ship, there was no gang plank laid down. Thus, when she tried to board the ship, she fell into the unguarded space—between the ship and the dock and into frigid waters far below.

8. Wilson and Mrs. Mowrer's daughter rescued her from the water and onto the cargo door, wrapping her in tablecloths as blankets. Wilson heard Mrs. Mowrer report that she lost her purse, cell phone, and her leg was hurt.

9. In fact, Mrs. Mowrer sustained serious physical injuries as a result of the fall.

CAUSE OF ACTION

10. Plaintiff incorporates the foregoing paragraphs into this cause of action.

11. Defendant owed a duty to invitees, including Plaintiff, to keep the premises in a safe condition, to warn of hazards—including the lack of a gang-plank at the apparent party entrance at issue here—and to guard against invitees falling into the water while trying to board the ship.

12. Defendant breached its duties to Plaintiff by failing to keep the premises in a reasonably safe condition under these particular circumstances, failing to warn of the lack of a gang-plank at the apparent party entrance at issue here, and otherwise failing to guard against her fall into the water while trying to board the ship.

13. As a direct and proximate result of Defendant's negligence, Plaintiff sustained personal, physical, and psychological injuries, suffered economic and non-economic damages, including medical bills, lost wages, personal property losses, and other harms and losses to be proven at trial.

PRAYER FOR RELIEF

Therefore, Plaintiff Mowrer demands judgment against Defendant Nautica in an amount in excess of \$25,000 in compensatory damages, as well as all other relief available under the law, including pre- and post-judgment interest, attorney's fees, and costs.

JURY DEMAND

Plaintiff demands a trial by jury.

Respectfully submitted,

s/ Drew Legando

Drew Legando (0084209)
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